IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

FILED
at Santa Fe, NM

JUL - 3 2006

MATTHEW J. DYKMAN
CLERK

LINDA BERGEY and JAMES R. BERGEY, SR.,

Plaintiffs,

vs. **NO.:CIV-05-0536MCA/WPL**

BOY SCOUTS OF AMERICA
d/b/a PHILMONT SCOUT RANCH BSA,

Defendant.

SUPPLEMENT TO PRE TRIAL ORDER
REGARDING WITNESS INADVERTENTLY OMITTED

Plaintiffs herewith supplement the witness information submitted under the Pre Trial Order, section IX. Anticipated Witnesses, Plaintiff's Witnesses, which was filed with the Court on June 30, 2006. The name of a treating physician, Erich Marchand, M.D., was inadvertently omitted by Plaintiffs' attorney from inclusion in the Pre Trial Order while in the course of preparing that document. The error was discovered on July 1, 1006 after reading the Pre Trial Order the Defendant had filed with the Court on June 30, 2006. Accordingly, the section referred to should include the following information:

Dr. Erich Marchand, a neurosurgeon, is expected to testify regarding the nature and extent of the brain injury and the hemorrhaging that Mrs. Bergey suffered and the care and treatment required to alleviate the injury. He will address the severity of the injury, the medical and rehabilitative treatment required as well as the meaning and effect of the Glasgow Coma Scale ranges and their meaning and relationship to traumatic brain injury and it effect on Linda Bergey.

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He will address the medical care in the period between July 7, 2002 and July 26, 2002, when she was discharged from St. Vincent Hospital and transferred to Bryn Mawr Rehabilitation in Pennsylvania. He is expected to address the full nature and extent of Linda Bergey's initial injuries, the necessary life saving treatment given to Linda Bergey as a result of the incident at Philmont Scout Ranch.

Wherefore, the inclusion of the foregoing is requested.

Respectfully submitted,

PATRICK A. CASEY, P.A.

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CERTIFICATE OF SERVICE

I hereby certify that on July 3, 2006, I caused a copy of the foregoing to be served by first class mail, postage pre-paid, Defendant's counsel of record, Alfred L. Green, Jr., Esq., Butt, Thornton and Baehr, P.C., P.O. Box 3170, Albuquerque, NM 87190-3170.

Patrick A. Casey, Esq.